

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF TENNESSEE
GREENEVILLE DIVISION

UNITED STATES OF AMERICA)
)
v.) No. 2:12-CR-025
)
MATEO SILVA HERNANDEZ)

MEMORANDUM AND ORDER

This criminal case is before the court on the January 10 and 11, 2013 reports and recommendations (“R&Rs”) [docs. 163, 165] of Chief United States Magistrate Judge Dennis H. Inman. Magistrate Judge Inman recommends that the defendant’s motion to suppress evidence and statements [doc. 117] and the defendant’s motion to dismiss [doc. 96] be denied. The January 16, 2013 deadline for filing objections to the R&Rs [doc. 166] has passed without response.

De novo review by the district court of a magistrate judge’s report and recommendation is both statutorily and constitutionally required. *See United States v. Shami*, 754 F.2d 670, 672 (6th Cir. 1985). However, it is necessary only to review “those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1).

Even though no objections have been filed, the undersigned has nonetheless thoroughly reviewed the R&Rs, the defendant’s motions, the parties’ briefing, and the challenged waivers and statement signed by the defendant on March 9, 2012. Further,

although no transcript of the January 9 motion hearing has been filed, the court listened to the entire hearing as it took place and has thus had sufficient opportunity to consider the content and credibility of the testimony.

Finding itself in complete agreement with the magistrate judge, the court **ADOPTS** the findings of fact and conclusions of law set out in the reports and recommendations [docs. 163, 165]. It is **ORDERED** that the defendant's motion to suppress [doc. 117] and motion to dismiss [doc. 96] are **DENIED**.

IT IS SO ORDERED.

ENTER:

s/ Leon Jordan
United States District Judge